

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

JUAN A DAVILA BORGOS  
SONIA I RIVERA AYALA

DEBTOR(S)

CASE NUMBER: 08-04936 ESL

CHAPTER 13

**PROPOSE AMENDMENT OF THE CHAPTER 13 PLAN**

**TO THE HONORABLE COURT:**

**COME(S) NOW DEBTOR(S)**, represented by the undersigned counsel and very respectfully **ALLEGE(S)** and **PRAY(S)** as follows:

1. Debtor(s) intend to amend the Chapter 13 Plan for the following reason:

**TO INCREASE THE BASE OF THE PLAN**

**WHEREFORE**, it is respectfully requested of this Honorable Court to approve the above indicated amendment.

**IN SAN JUAN, PUERTO RICO**, this 8<sup>TH</sup> day of December of 2008

**I HEREBY CERTIFY:** that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to United State Trustee, Chapter 13 Trustee, and we sent copy of this document through regular mail to Debtor(s) and all non CM/ECF participants interested parties to their address listed on the master address list.

/s/RODOLFO R. HERNANDEZ RAMOS

**ATTORNEY FOR DEBTOR**

USDC PR 118012

P.O. Box 19-3997

San Juan, Puerto Rico 00919-3997

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rodolfohernandezesq@yahoo.com

**United States Bankruptcy Court  
District of Puerto Rico**

**IN RE:**

Case No. 08-04936

**DAVILA BORGOS, JUAN A & RIVERA AYALA, SONIA I**

Debtor(s)

Chapter 13

**CHAPTER 13 PAYMENT PLAN**

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____ <input checked="" type="checkbox"/> AMENDED PLAN DATED: <b>12/08/2008</b>	
<input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
<b>I. PAYMENT PLAN SCHEDULE</b>  \$ <u>1,200.00</u> x <u>12</u> = \$ <u>14,400.00</u> \$ <u>1,530.00</u> x <u>48</u> = \$ <u>73,440.00</u> \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____  TOTAL: \$ <u>87,840.00</u>  Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from:  <input type="checkbox"/> Sale of Property identified as follows: _____ _____  <input type="checkbox"/> Other: _____ _____  Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____  PROPOSED BASE: \$ <u>87,840.00</u>	<b>II. DISBURSEMENT SCHEDULE</b>  BBVA 150.00 A. ADEQUATE PROTECTION PAYMENTS OR FORD \$ 100.00 B. SECURED CLAIMS: M BERRIOS 50.00 <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. SCOTIABANK Cr. CRIM Cr. _____ # 79799995000042 # 5327 5197 # _____ \$ 9,360.91 \$ 1,537.85 \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. BANCO BILBAO VIZCA Cr. FORD MOTOR CREDIT Cr. MUEBLERIAS BERRIO # 9612941136 # 35671545 # 3505189202 \$ 15,709.79 \$ 18,077.90 \$ 4,644.44 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder:  5. <input type="checkbox"/> Other:  6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: SCOTIABANK C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements.  OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) <b>ATTORNEY FEES WILL BE PAID BEFORE TAXES AND CREDITORS.</b>  <b>DEBTOR WILL PROVIDE INSURANCE TO BBVA &amp; FORD MOTOR THROUGH UNIVERSAL INS FOR THE ESTIMATED AMOUNT OF \$1064.00 (BBVA) AND \$988.00 (FORD MOTOR CREDIT)</b>  <b>PLAN INCREASES WHEN DEBTOR INCOME INCREASE PER ANNUM</b>
<b>III. ATTORNEY'S FEES</b> (Treated as § 507 Priorities)  Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>2,500.00</u>	
Signed: <u>/s/ JUAN A DAVILA BORGOS</u> Debtor  <u>/s/ SONIA I RIVERA AYALA</u> Joint Debtor	

Attorney for Debtor Rodolfo R. Hernandez Ramos

Phone: (787) 764-3646

**UNIVERSAL  
INSURANCE****UNIVERSAL INSURANCE COMPANY**P.O.Box 71338 San Juan, PR 00936-8438  
Tel: (787) 774-9211

4,315

**PREMIUM CALCULATION**

Date requested: 08/29/2008 3:20:50P

By: Fax

Debtor: JUAN DAVILA BURGOS

Join debtor: SONIA RIVERA AYALA

Case #: 0804936

File date: 07/31/2 08 3:20:50P

Esq.: RODOLFO R. HERNANDEZ RAMOS

Mat. date: 04/01/2 09 3:20:50P

Manufacturer: MAZDA

Manufacturer: MPV

Year: 2,003

VIN #: JM3LW28A13034538

Lienholder: BANCO BILBAO VIZCAYA

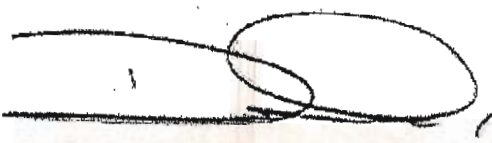
Loan: 9612941136

Balance: \$14,198.00

\$26.00 (MONTHLY PREMIUM X 38 MONTHS)

SUB TOTAL ESTIMATED COVERAGE IS: \$988.00

TOTAL ESTIMATED COVERAGE IS: \$988.00



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GT INSURANCE GROUP

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UNIVERSAL

UNIVERSAL INSURANCE COMPANY

P.O. Box 71338 San Juan, PR 00936-8438

Tel: (787) 774-9211

INSURANCE

4.870

### PREMIUM CALCULATION

Date requested: 12/05/2008 3:31:09P

By: Fax

Debtor: JUAN DAVILA BURGOS

Join debtor: SONIA RIVERA AYALA

Case #: 0804936

File date: 07/31/2008 3:31:09P

Esq.: RODOLFO HERNANDEZ-RAMOS

Mat. date: 12/05/2009 3:31:09P

Manufacturer: FORD

Manufacturer: F-150

Year: 2003

VIN #: 1FTRW0T163KD 3466

Lienholder: FORD MOTOR CREDIT


Loan: 35671545

Balance: \$180,778.00

\$38.00 (MONTHLY PREMIUM X 28 MONTHS)

SUB TOTAL ESTIMATED COVERAGE IS: \$1,064.00

TOTAL ESTIMATED COVERAGE IS: \$1,064.00



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**NOTICE OF FILING AMENDED PLAN**

TO ALL THE CREDITORS LISTED ON THE ATTACHED MASTER ADDRESS LIST

NOTICE IS HEREBY GIVEN THAT DEBTOR(S) FILED THE  
ATTACHED PLAN ON **December 8<sup>TH</sup>, 2008.**

PARTIES IN INTEREST ARE NOTIFIED THAT THEY HAVE TWENTY (20) DAYS  
TO REJECT A PROPOSED MODIFICATION OF A PLAN AND REQUEST A HEARING.

ABSENT GOOD CAUSE, UNTIMELY REJECTIONS SHALL BE DENIED.

**CERTIFICATE OF SERVICE**

**IS HEREBY CERTIFY** THAT THE PARTIES SERVED ARE THOSE MENTIONED  
ON THE ATTACHED MASTER ADDRESS LIST.

**IN SAN JUAN, PUERTO RICO**, this 8<sup>TH</sup> day of December of 2008

/s/RODOLFO R. HERNANDEZ RAMOS  
**ATTORNEY FOR DEBTOR**  
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16 CALLE LAGO  
URB CAMPO LAGO  
CIDRA, PR 00739-9358

DEPARTMENT OF TREASURY  
BANKRUPTCY DEPARTMENT 424-B  
P O BOX 9024140  
SAN JUAN, PR 00902

ROOMS TO GO  
PO BOX 60107  
CITY OF INDUSTRY, CA 91716

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URB CAMPO LAGO  
CIDRA, PR 00739-9358

DEPT OF TREASURY  
SECCION DE QUIEBRAS OF 424-B  
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SAN JUAN, PR 00902-4140

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SAN JUAN, PR 00908

SCOTIABANK  
PO BOX 362230  
SAN JUAN, PR 00936

BANCO BILBAO VIZCAYA ARGENTARIA  
PO BOX 364745  
SAN JUAN, PR 00936

FIRST PREMIER BANK  
PO BOX 5119  
SIOUX FALLS, SD 57117

WESTERNBANK  
PO BOX 1180  
MAYAGUEZ, PR 00681

BANK OF AMERICA  
PO BOX 650260  
DALLAS, TX 75265

FORD MOTOR CREDIT  
PO BOX 71472  
SAN JUAN, PR 00936

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MERCANTIL PLAZA BUILDING  
HATO REY, PR 00918

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SAN JUAN, PR 00936

ISLAND FINANCE  
PO BOX 195369  
SAN JUAN, PR 00922

CITIFINANCIAL  
PO BOX 73198  
SAN JUAN, PR 00936

MONEY EXPRESS  
PO BOX 11867  
SAN JUAN, PR 00910

COMMOLOCO  
PO BOX 19697  
SAN JUAN, PR 00919

MUEBLERIAS BERRIOS  
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CIDRA, PR 00739

CRIM  
P O BOX 195387  
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